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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/287,776	04/07/1999	LILI KANG	0100.9900270	6690

7590 12/19/2003

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EXAMINER

PIZIALI, JEFFREY J

ART UNIT	PAPER NUMBER
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2673

25

DATE MAILED: 12/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

TS

Advisory Action

Application No.

09/287,776

Applicant(s)

KANG ET AL.

Examiner

Jeff Piziali

Art Unit

2673

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Interview
THE REPLY FILED 16 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☒ Applicant's reply has overcome the following rejection(s): 1-8.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 1-8.

Claim(s) objected to: _____.

Claim(s) rejected: 9-22.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

[Signature]
J.P.
12/17/03

Continuation of 5. does NOT place the application in condition for allowance because:

Allowable Subject Matter

1. Claims 1-8 are allowed.

2. The following is a statement of reasons for the indication of allowable subject matter: The present invention comprises a video overlay apparatus. The closest prior art, Ranganathan (US 5,764,201) discloses a video scaler [Fig. 8A; 64] operatively responsive to input video data; and a programmable switching mechanism [Fig. 8A; 68], operatively coupled to the video scaler, to programmably switch video data from the video scaler into one of first and second video overlay generators [Fig. 8A; 32 & 42] that are capable of being operably coupled to corresponding first and second display devices [Fig. 8B; 22 & 24], in order to enable the display of the video data from the video scaler and overlay data from one of the first and second overlay generators on one of a first output display device and a second display device (Column 8, Line 18 - Column 10, Line 7).

However, Ranganathan does not expressly disclose first and second video overlay generators that are EACH capable of being operably coupled to corresponding first and second display devices. Such a distinct circuitry arrangement has been incorporated into independent claim 1, thereby rendering it (and dependent claims 2-8) allowable.

In contrast, independent claim 9 merely recites, "each of the video overlay generators outputs overlay information for a corresponding display device;" and independent claim 15 merely reads, "each of said video overlay generators having an output for coupling video and video overlay data into a corresponding display device." Therefore, the previous grounds of rejection applied to claims 9-22 in the final rejection mailed 12 August 2003 (Paper No. 21) are maintained at this time.


Amare Mengistu
Primary Examiner